

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

TYRONE MCDUGALD,

Plaintiff,

v.

JASON MCKENZIE, *et al.*,

Defendants.

Case No. 3:19-cv-00361-MMD-WGC

ORDER

Pro se Plaintiff Tyrone McDougald brought this action under 42 U.S.C. § 1983. (ECF No. 12.) After several documents were returned as undeliverable, the Court ordered Plaintiff to file his updated address with the Court—in compliance with LR IA 3-1—within 30 days. (ECF No. 21.) The Court explicitly stated in that order that, “if Plaintiff fails to timely comply with this order, the Court will dismiss this case without prejudice.” (*Id.*) More than 30 days have elapsed, but Plaintiff has not filed his updated address. “Pursuant to Federal Rule of Civil Procedure 41(b), the district court may dismiss an action for failure to comply with any order of the court.” *Ferdik v. Bonzelet*, 963 F.2d 1258, 1260 (9th Cir. 1992); *see also Carey v. King*, 856 F.2d 1439, 1440-41 (9th Cir. 1988) (affirming dismissal for failure to update address per the district court’s local rules). And as a function of that power in this case, the Court will dismiss Plaintiff’s case without prejudice because Plaintiff has not timely updated his address, despite the Court’s order that he must.

It is therefore ordered that this case is dismissed without prejudice.

The Clerk of Court is directed to enter judgment accordingly and close this case.

DATED THIS 16th Day of November 2020.



MIRANDA M. DU
CHIEF UNITED STATES DISTRICT JUDGE